

Christopher J. Keller
Eric J. Belfi
Francis P. McConville
LABATON SUCHAROW LLP
140 Broadway
New York, New York 10005
Telephone: (212) 907-0700
Facsimile: (212) 818-0477
ckeller@labaton.com
ebelfi@labaton.com
fmcconville@labaton.com

David Bricker (Cal. State Bar No. 158896)
THORNTON LAW FIRM LLP
9595 Wilshire Boulevard, Suite 900
Beverly Hills, California 90212
Telephone: (310) 282-8676
Facsimile: (310) 388-5316
dbricker@tenlaw.com

Counsel for Shahin Nezhad

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOSEPH MALRIAT, Individually and On
Behalf of All Others Similarly Situated,

Plaintiff,

v.

QUANTUMSCAPE CORPORATION F/K/A
KENSINGTON CAPITAL ACQUISITION
CORP., and JAGDEEP SINGH,

Defendants.

Case No. 3:21-cv-00058-WHO

CLASS ACTION

**NOTICE OF NON-OPPOSITION OF
SHAHIN NEZHAD TO COMPETING
MOTIONS FOR CONSOLIDATION,
APPOINTMENT AS LEAD PLAINTIFF
AND APPROVAL OF SELECTION OF
COUNSEL**

ASHA GOWDA, Individually and On Behalf
of All Others Similarly Situated,

Plaintiff,

v.

QUANTUMSCAPE CORPORATION,
JAGDEEP SINGH, FRITZ PRINZ,
TIMOTHY HOLME, KEVIN HETTRICH and
VOLKSWAGEN GROUP OF AMERICA
INVESTMENTS, LLC,

Defendants.

Case No. 3:21-CV-00070-WHO

CHRISTOPHER LEO, Individually and On
Behalf of All Others Similarly Situated,

PLAINTIFF,

v.

QUANTUMSCAPE CORPORATION F/K/A
KENSINGTON CAPITAL ACQUISITION
CORP., AND JAGDEEP SINGH,

DEFENDANTS

Case No. 3:21-CV-00150-WHO

1 On March 8, 2021, Shahin Nezhad, (“Mr. Nezhad”) filed a timely motion for
 2 consolidation of the above-captioned actions, appointment as Lead Plaintiff, and approval of his
 3 selection of counsel. See ECF No. 28. In addition to Mr. Nezhad’s motion, eleven other
 4 motions were filed.

5 The Private Securities Litigation Reform Act (“PLSRA”) directs the Court to appoint the
 6 “most adequate plaintiff” as lead plaintiff, and provides a rebuttable presumption that the most
 7 adequate movant is the person or group that, among other things, has “the largest financial
 8 interest in the relief sought by the class.” 15 U.S.C. § 78u-4(a)(3)(B)(iii)(I). Having reviewed
 9 the competing motions and supporting papers provided by the other movants seeking
 10 appointment as Lead Plaintiff, it appears that Mr. Nezhad does not have the largest financial
 11 interest in the relief sought by the class, as required by the PSLRA.

12 However, should the Court determine that any of the other Lead Plaintiff movants are
 13 incapable or inadequate to represent the class for any reason, Mr. Nezhad stands ready, willing,
 14 and able to serve as Lead Plaintiff in the Action. This notice is submitted without prejudice to
 15 Mr. Nezhad’s rights to participate in this litigation and share in any recovery.

16 DATED: March 22, 2021

Respectfully submitted,

17 /s/ David Bricker

18 **THORNTON LAW FIRM LLP**

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 fmconville@labaton.com

28 *Counsel for Shahin Nezhad*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on March 22, 2021, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send a Notice of Electronic Filing to all counsel of record.

/s/ David Bricker
David Bricker